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MEMORANDUM FOR: Deputy Director

SUBJECT : Reassignment of Surplus Personnel

1. I am forwarding for your comment the draft of an Agency Notice entitled "Agency Reassignment Board." The procedures outlined in this Notice are intended to provide a solution to the problem of obtaining reassignments for personnel who are excess to the requirements of their offices. I am not completely in agreement with this paper--prepared by the Personnel Office--for reasons mentioned below. However, I am sending it on to you at this point because the Acting Personnel Director, [REDACTED] tells me that it was developed along the lines of your request to him, and that in general it has your tentative approval.

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2. In the draft submitted at this time, it is stated that the office which has a personnel overage will designate an individual for an Agency-wide reassignment effort. The designation of this person is to be based on a number of factors, namely:

- a. length of CIA service
- b. veteran status
- c. length of general Federal civilian and military service
- d. personal preference of employees, and
- e. long-range career capabilities in office having overage.

I find this section of the Notice (paragraph 3) to be ambiguous and confusing. There is no discussion of how these factors are to be used. For example, is a veteran status employee to have preference for retention by the office having the overage, or does it mean that he should be among the first to be released? Similar questions of interpretation could be posed for most of the other factors named.

3. Aside from the indefiniteness of the factors listed, I am doubtful whether any system can be successful which allows an office to declare an employee available for "forced" reassignment on what in actuality may be a hand-picked basis. Past experience would lend ample support to the guess that this procedure will be regarded as a convenient means of "unloading" substandard employees, in lieu of applying regular administrative procedures, which admittedly involve more time consuming processes. I am afraid that this entire procedure will be discredited before it starts to operate unless we provide a uniform and objective mechanism to identify the employees to

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be reassigned to other parts of the Agency when surpluses exist in their own components. I am informed that a general solution to this problem employed by other Federal agencies is the application of the regular Federal retention regulations (promulgated in accordance with the Veterans Preference Act) to the specific component concerned. In other words, the person designated for reassignment would be the one standing lowest on the retention roster containing the names of all employees in the office who occupy positions similar or reasonably comparable to the one which is identified as "excess". Under the Federal retention regulations, veterans are segregated from non-veterans on the retention rosters (with higher preference for the former); within these two groups all persons are ranked according to "retention points" representing credit for years of total Federal service. Despite its obvious shortcomings, I believe the advantages of such a uniform plan far outweigh the disadvantages, and therefore recommend this system.

4. I believe the attached Notice leaves too indefinite the action which follows a recommendation by the Reassignment Board. It is stated (paragraph 5) that "the office to which reassignment is proposed will be expected to initiate promptly a Request for Personnel Action (SF 52) to effect the reassignment." No answer is furnished as to the course to be followed when the office which is "expected" to take such action declines. On the other hand, it is stated that when the Board "votes negatively" on an assignment proposed by the Personnel Director "the matter will be referred to the DDCI for review and decision." It is my feeling that the basis for referral to your office should be reversed, that is, if an office refuses to honor a recommendation of the Reassignment Board, the matter would receive your attention in the form of an appeal from the refusing office.

5. I believe that when the Reassignment Board fails to go along with the Personnel Director's proposed reassignment, the case should be returned to the Personnel Office for action to determine which individual in CIA stands lowest on an Agency-wide retention roster established for the competitive level concerned (that is, the group of like positions which includes the position originally declared surplus). The person so identified would then be displaced from his position (either by outright separation or such reassignment within the Agency as his rights under the Federal reduction in force rules might provide). The vacancy resulting from this displacement would be filled by transferring the person who had been previously designated as available for reassignment by the office having the overage.

6. The Personnel Office draft proposes that the DDCI make the decision in each case where an employee is to be separated because no

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other solution has been found. If it is deemed appropriate, the actual decision to terminate may of course be made by the DDCI. However, the Personnel Director already has delegated authority to effect general terminations, including reduction in force separations. On the other hand, if it is intended to rely on this Agency's special authority to terminate personnel, the decision is one which, in accordance with the applicable law, must be made by the Director. If we have a true reduction in force, and have followed regular Federal reduction in force procedures, there is no necessity to invoke the Director's termination authority. When an employee appeal to the Civil Service Commission might seem to result in security hazards (because of Commission review) the special authority of the Director could still be used. This clarification is desirable to preserve the use of the Director's special authority for security purposes rather than for administrative reasons.

7. In summary, I believe such changes in the proposed procedure are needed as will

- a. Encourage individual offices to exhaust every possibility for taking care of a "surplus" employee before throwing him on the block for reassignment.
- b. Ensure that the procedure will serve bona fide situations of excess personnel and will not become a by-pass for the obligation of supervision to deal with unsatisfactory personnel in a direct, forthright way.
- c. Recognize that we can live with the general Government-wide reduction in force system, and use our special authority only in the individual circumstances where security requirements dictate.

/s/

L. K. WHITE  
Acting Deputy Director  
(Administration)

Attachment

SA/DD/A:DCK:dh (19 Nov 1953)

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